

USDC SCAN INDEX SHEET



SMITH

FIRST PREMIER BANK

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3:98-CV-00052

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STIP.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

FEB 24 1998

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
* * * DEPUTY *
Cargill

CIV. 98-0052-BTM(LAB)

* * * * *

DWIGHT W. SMITH,
an individual consumer, and
REGINA SMITH,
an individual consumer,

Plaintiffs,

vs.

FIRST PREMIER BANK,

Defendant.

STIPULATION FOR
EXTENSION OF TIME
IN WHICH TO FILE
AN ANSWER AND
RESPOND TO DISCOVERY

* * * * *

It is hereby stipulated and agreed by and between the
Plaintiffs Dwight W. Smith and Regina Smith, through their
counsel Harold M. Hewell of DOUKAS & HEWELL of San Diego,
California, and the Defendant First PREMIER Bank through its
counsel Monte R. Walz of DAVENPORT, EVANS, HURWITZ & SMITH,
L.L.P., Sioux Falls, South Dakota, as follows:

1. That the parties desire to explore potential resolution
of the above matter before requiring that an Answer be filed by
the Defendant, First PREMIER Bank;

2. That, accordingly, the parties stipulate that the
Defendant shall be and hereby is granted an indefinite extension
of time in which to file its Answer which extension shall also
apply to the discovery requests of the Plaintiff and any
disclosures or activities otherwise specified under F.R. Civ. P.
Rule 26;

OK


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3. That upon written notice from the Plaintiffs' counsel, the Defendant will serve its Answer within ten (10) days of the date of such written notice and shall respond to discovery within an additional fifteen (15) days of such Answer.

4. That the Defendant expressly reserves all of its claims and defenses herein including, but not limited to, defenses and motions relating to jurisdiction and venue.

Dated at San Diego, California, this 17th day of February, 1998.

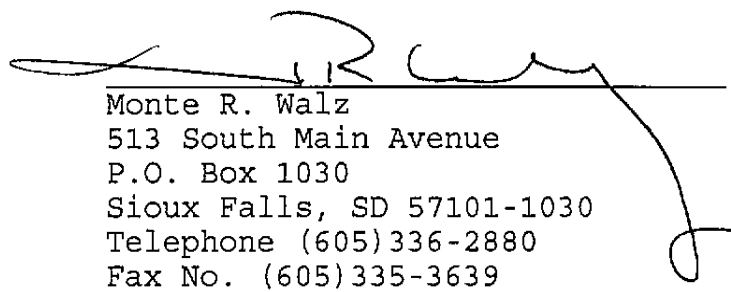
DOUKAS & HEWELL



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San Diego, CA 92101
Telephone (619)235-6854
Fax No. (619)235-9122
Attorneys for Plaintiffs

Dated at Sioux Falls, South Dakota, this 11th day of February, 1998.

DAVENPORT, EVANS, HURWITZ &
SMITH, L.L.P.



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Fax No. (605)335-3639
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